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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,185	12/05/2000	Zoran Falkenstein	0070450-0012	8007

7590 08/28/2002  
COUDERT BROTHERS  
Suite 2300  
333 South Hope St.,  
Los Angeles, CA 90071

EXAMINER

TRAN, THUY V

ART UNIT	PAPER NUMBER
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2821

DATE MAILED: 08/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicati n N .

09/730,185

Applicant(s)

FALKENSTEIN, ZORAN

Examiner

THUY V. TRAN

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to because of the following informalities:

Lacking Prior Art labels in figures 1a, 1b, and 2;

Reference numeral [410] in figure 4b appears to be in wrong location.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. Figures 1a, 1b, and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Eliasson et al. (U.S. Patent No. 4,837,484).

As to claim 1, Eliasson et al. discloses, in figures 4-5, a dielectric barrier discharge-driven light source comprising (1) a first [4] and second [17] dielectric barrier

which enclose a gas (see col. 3, lines 55-61), (2) a first [1] and second [6] electrode coupled to an outside portion of the first and second dielectric barriers, and (3) stems [3] coupled to an inside portion of the first and second dielectric barriers.

As to claims 2 and 3, Eliasson et al. discloses in figures 4 and 5 that the first and second dielectric barriers have a flat-panel shape, which is circular.

As to claims 4 and 5, Eliasson et al. discloses that the stems (i) are comprised of quartz (see col. 3, line 31), and (ii) are inherently equidistant (see figure 4).

As to claim 6, Eliasson et al. discloses in figure 4 that the second electrode [6] is a mesh.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eliasson et al..

As to claim 7, Eliasson et al. discloses all of the claimed subject matter, as expressly recited in claim 1, except for the first and second dielectric barrier being made of silica. However, silica has been well-known as a high dielectric-strength insulating material. Therefore, to make the first and second dielectric barriers of Eliasson et al. in silica to prevent the device from a leakage of charge would have been deemed obvious to a person skilled in the art.

As to claim 8, Eliasson et al. discloses all of the claimed subject matter, as expressly recited in claim 1, except for clearly specifying that transfer-foil technology be used to couple the stems to the dielectric barriers. However, the transfer-foil technology has been well-known in the art as it provides different advantageous techniques for prevention of charge leakage resulting in a good overall quality of the display device. Therefore, to couple the stems to the dielectric barriers of Eliasson et al. by using transfer-foil technology to assure an overall quality of the device would have been deemed obvious to a person skilled in the art.

7. Claims 9-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eliasson et al. in view of Wedding, Sr. (U.S. Patent No. 5,793,158).

As to claims 9-17, Eliasson et al. discloses all of the claimed subject matter, as expressly recited in claim 1, except for a step of cleaning including heating and exposing the dielectric barrier discharge-driven light source to a vacuum. Wedding, Sr. discloses a method for manufacturing a dielectric barrier discharge-driven light source comprising a step of cleaning including heating and exposing the dielectric barrier discharge-driven light source to a vacuum (see col. 15, line 54 – col. 17, line 45). To include a step of cleaning including heating and exposing the dielectric barrier discharge-driven light source to a vacuum in the corresponding manufacturing method of Eliasson et al. to assure the display members bonding and thus prevent from leakage of charge would have been obvious to one of ordinary skill in the art at the time of the invention since such a cleaning step including heating and exposing has been a well-known practice in the art as evidenced by the teachings of Wedding, Sr..

***Citation of relevant prior art***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prior art Ushio Inc. (JP-09330683A) discloses a discharge lamp having electrodes and an excimer formed by dielectric barrier discharge.

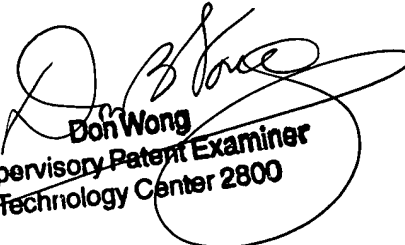
***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THUY V. TRAN whose telephone number is (703) 305-0012. The examiner can normally be reached on M-F (8:30-6:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DON K. WONG can be reached on (703) 308-4856. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-3807 for regular communications and (703) 746-3807 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Thuy Vinh Tran  
August 25, 2002

  
Don Wong  
Supervisory Patent Examiner  
Technology Center 2800